

Quid Novi

McGill University, Faculty of Law
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While most people were disappointed to hear that this year's skit nite was Adam Barza's last appearance onstage, someone in California rejoiced at the thought...



In This Issue...

- 3-10 Elections Special
- 11 Educational Equity: Re-Examining the Mentorship Program
- 12 Ratio Decidendi Part 4
- 13 Paper Chains
- 14 Le SPQ libre: Le dernier monstre syndical!
- 15 Old School Racism Still Lives in Montreal -- A Response
- 15 BLG Announces New Research Fellowship
- 16 The Mysterious Karen Ryan

Quid Novi

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Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca

Toute contribution doit indiquer l'auteur et son origine et n'est publiée qu'à la discrétion du comité de rédaction, qui basera sa décision sur la politique de rédaction telle que décrite à l'adresse:

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Editor's Note...

In his editor's note a few weeks back, Patrick was criticising the Faculty's passive bilingualism policy. In essence, he was arguing that courses should be offered solely in either French or English, so that classes be more coherent and people be forced to practise.

But then he also promised I would "destroy" his comments in an upcoming Quid: chose promise, chose due.

Just over a year ago, someone was writing in the Quid that "passive bilingualism [was] doing things in a half-assed way, and [...] create[d] a satirical parody of what McGill Law is ultimately trying to accomplish". I do hope that this person has changed his mind since then, but it goes to show that Patrick is not alone -- in fact, I'm probably the one who's alone.

To me, saying that French and English should be kept separate undermines the very foundations of the transsystemic program. It's like saying Common Law and Civil Law should be taught independently: within NCDH, it's downright blasphemous.

What makes this Faculty so special and different from other Faculties in Canada is that both languages can and do coexist, because many (most?) students here *really are* passively bilingual. And that those who aren't are free to learn.

Sure, French or English courses will not be credited within a law degree; but then why should they be? Say I am very keen on Ming dynasty pottery, antibiotic prophylaxis in orthognathic surgery, or monkey medullary dorsal horn neuronal activity, should I expect that to count towards my law degree as well? If I want to learn a language, I'm more than welcome to do so, but a law degree isn't a balloon to be inflated at will. (And even then, from what I've heard, we'll soon be allowed (or maybe we are already*) to take 6 credits worth of language courses within our non-law credits...)

I have many friends who do not feel they really are passively bilingual. What do they do about it? Well first they take French classes. And then they realise they aren't as afraid of taking seminars where half the class jaspine le français. And then sometimes they even try taking law classes in French.

And THAT'S what makes McGill Law special.

I'm not saying the passive bilingualism policy is a resounding success. In fact, I think it's greatly flawed in *many* respects. Mais ça, je le garde pour la prochaine chicane.

Fabien

* Sloppy journalism, I know.

Elections

Candidates for President

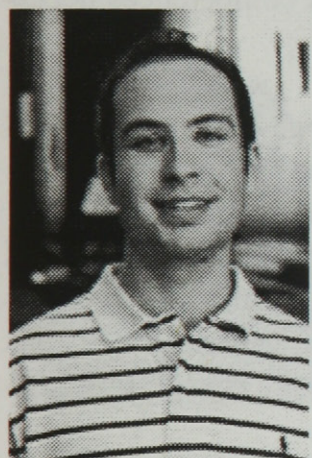
Michael Hazan



After witnessing the activities surrounding the LSA this past year, I believe I am the right person to improve our current state of affairs. As Law Senator this past year, I negotiated better LIBRARY HOURS for 2003-2004, 2004-2005 and helped secure \$50,000 for new books and materials from the university. I feel it is also critical that we reopen the faculty-funding debate with STUDENT INVOLVEMENT. My mission is to bring back our McGill spirit by extending coffee haus hours, resurrecting the Malpractice Cup and reducing the price of law games so McGill can have our largest contingent ever. Lastly, I want to expand internship criteria so more students can earn course credit for summer work in diverse areas of the law. Je suis fiable, très impliqué auprès de la faculté et, avant tout, dévoué à McGill.

VOTE **MICHAEL HAZAN** for **PRESIDENT** of the LSA.

Will Paterson



As your representative at faculty council, curriculum committee and the faculty recruitment committee, I worked closely with both faculty and students. I understand how to bring both communities together towards a common goal: improving our education and experience at the Faculty. This year, as VP Academic, I re-located the bookstore, lowered coursepack prices and increased your choices for outside of faculty credit.

Comme président, ma vision se compose de l'AED forte gérée avec des espérances claires et la cohésivité de groupe. Mes 3 buts principaux sont : (1) augmentation de la responsabilité et de la transparence de l'AED, (2) improve the policies and facilities of the Faculty and (3) establish the solid foundations required not only to build a strong team but also to ensure long-term institutional memory.

The LSA can make your law school experience better. Je vous invite à m'envoyer un courriel avec n'importe quelle question à will.paterson@mail.mcgill.ca.

Acclaimed VP Academic

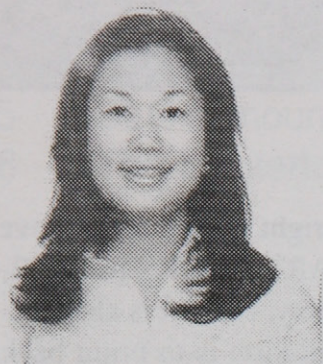
Toby Moneit



For those who have not yet had the chance to ask me: Yes, I'll be around next year (yes, *all* of next year); and no, I am not crazy (well, okay, maybe I am but that isn't necessarily related to the fact that I am running for VP Academic). The reason? My experience at the Law Journal and the Prizes and Scholarships Committee over the past two years will allow me to navigate the inner workings of the Faculty. What does that mean? More answers faster and a better chance of having *your* voice heard by the Faculty. What about new ideas? That is where you come in. Based on discussions I have already had with the student body, I would like to look into the way courses get slotted into those elusive "baskets" (especially the social diversity basket). A vote for me is a vote for accountability and transparency.

Candidates for VP Administration

Andrea Hwang



"Transparency, Awareness and Accountability"

As VP Administration my platform is threefold:

- 1) I would like to promote complete transparency and awareness by making Council Meetings available and accessible to all students. Weekly agenda and meeting minutes will be posted outside the LSA office and compiled in a binder within the LSA office;
- 2) In hopes of giving you, the students, more access to the issues raised by Council, I would like to lobby for the creation of a LSA website which would be a database that will hold weekly agenda item and minutes, and other relevant notices;
- 3) I will also disseminate information about running for various Committees such as Admissions, Curriculum and Skit Night in addition to a fair hiring process.

I will be open, fully accountable and complete in providing all the information you need to know about what the LSA is doing in clear and accessible formats.

Lindsey Miller



I'm Lindsey Miller, and I'd like to be your VP Administration. Je crois que j'ai les compétences nécessaires pour vous servir d'une manière ouverte et efficace.

VP Admin is the person responsible for taking care of all the details to make sure things run smoothly and on schedule for the LSA and students. I am experienced in this; for three years I was the secretary of a 100+ member volunteer club at the University of Alberta, keeping people on time, organized and informed.

As VP Admin, my aim would be to ensure that the LSA can meet its new goals by making sure all its administrative details are efficiently handled. J'améliorerais aussi les relations AÉD - conseil général par le biais des résumés des réunions, je créerais un manuel afin de faciliter la transition annuelle de l'exécutif et j'examinerais les changements nécessaires dans la constitution.

Thanks for voting!

Acclaimed VP Athletics

Matthew Bilmes



Did you go to law games this year in Halifax? The answer is probably no, and not because you didn't want to. It's time to make the games accessible to everyone who wants to attend regardless of their financial situation. If I am elected VP athletics, a fundraising committee will be formed before the end of this term in order to organize creative and successful activities that generate excitement and most importantly funds to subsidize much of our trip. I had an unbelievable time this past year and I'd like to continue in Steven's footsteps to make it great for everyone who attends. It is also a priority of mine to put the athletics back into VP athletics! I will organize inter-faculty tournaments and also sports events against firms, alumni and other McGill programs. Let's show the world that we are as strong as we are smart!

Acclaimed VP Clubs & Services

Liat Tzoubari



The first thing I was told by a McGill law student was: "take the time to enjoy the law school experience, because it is unbelievable!" If you ask me, a lot of this experience depends on the activities available through clubs in our Faculty.

I want to make sure clubs stay on their toes, obtain the proper resources to accomplish their goals, and work together on events. Most importantly, I plan on encouraging clubs to not only bring in speakers for students to hear, but to organize events as well. I feel that club members often miss out on the experience of being part of a club by not having "hands-on" activities to attend. Workshops (such as those organized by the Human Rights' Working Group) as well as social events help create a better club atmosphere. Our clubs should work on promoting their causes rather than simply informing others.

Acclaimed VP External

Andrés Drew



As V.P External, I want to accomplish three things. Continue to strengthen relations between the L.S.A. and S.S.M.U; the L.S.A. and the F.E.U.Q; the L.S.A. and the Provincial Government. The Faculty does not operate in a vacuum. Politics rather than sound policy is the guiding principle for higher education planning in Quebec and three recent changes will make this more acute. McGill has recently rejoined the F.E.U.Q; the S.S.M.U has been recently accredited as the official legal body representing McGill undergraduate students, and the new provincial government is holding a parliamentary hearing on the "quality, access and funding" of university education in Quebec. Political stripes aside, I believe that Quebec's premier Faculty of Law should have a strong voice and play a major role in influencing the policy direction of these three institutions. I hope to provide that voice, in order to translate the politics into sound policy.

Acclaimed VP Finance

David Dubrovsky



Over the course of the year, I have demonstrated my commitment to the improvement of student life at the faculty as a student representative on Faculty Council, Curriculum Committee, Prizes and Scholarships Committee, Examinations Committee and LSA council. This years main accomplishments include an increased choice for non-law credits, law, a new shell course for student directed seminars, and a pilot project proposal for a laptop examinations policy. I believe that my experience serving on the LSA, coupled with my commitment towards the student body and my previous degree in Finance, will enable me to be successful in the role of VP Finance. My main goals for the upcoming year are to establish a clear set of procedures for LSA accounting practices, to establish a task force to prepare LSA financial records for an external audit; and to maintain an accessible and transparent record of LSA finances.

Acclaimed VP Internal

Catherine Lambert



The Lady in Red, the little Devil at Halloween, the barmaid at Coffee House, you probably saw me at some point this year! With my co-president Lainy Destin, I organised various events for first years, both on the academic and social sides. Je me suis aussi beaucoup impliquée dans le Skit Nite, en prenant toutes mes responsabilités à cœur. I now want to have a greater opportunity to work with all of you through the VP Internal position. You can expect increased information about what is going on in the Faculty, as well as smooth management of various academic and social activities. Je veux également m'assurer de maintenir les liens entre les membres de l'AÉD et de travailler près des présidents de classe pour les supporter dans l'organisation de leurs événements. Positive, pleine d'énergie et engagée, you can't go wrong for your VP Internal!

Last Call for Quid Volunteers!!!

This is your last chance to join the Quid next year!

Contact us at quid.law@mcgill.ca no later than **March 26** if you are interested in working with us. Tell us who you are, what you've done, which position you are interested in, how great you think the Quid is, etc.

We're particularly looking for **layout editors**, **associate editors** and **managing editors**, but we welcome applications for all positions. (See <http://www.law.mcgill.ca/quid/volunteers.html> for details on all open positions.)

Layout Editors (3)

Duties: Does the layout for the Quid every other week; has to live with the Assistant Editor-in-Chief's mood swings.

Time commitment: 2-4 hours every other week.

The perfect candidate: Is familiar or willing to learn with publishing (Quark) and imaging (PSP) software; likes spending hours in front of a flickering screen in an overly heated basement.

Managing Editors (2)

Duties: Communicates with potential advertisers, and organises all communications with firms.

Time commitment: 2 hours weekly, with rush periods of 5-10 hours.

The perfect candidate: Is organized; is bilingual; knows how to use a calculator and/or Excel; has an ability to write formal yet not overly pompous letters; enjoys having angry messages left on his/her answering machine.

Associate Editors (3)

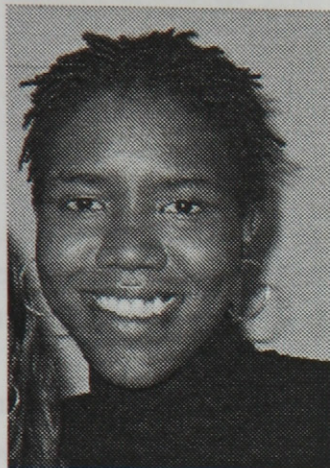
Duties: Proof-reads articles sent to the Quid.

Time commitment: 2 hours weekly, in a specific time-frame.

The perfect candidate: Has an excellent grasp of English and/or French; can resist the urge of inserting profanities when he/she disagrees with what he/she is reading; can live with knowing in advance what will be in next week's Quid.

Candidates for VP Public Relations

Lainy Destin



What should you expect from your LSA VP- of public relations?

Someone with 1) a strong commitment to the improvement of student life in our faculty; 2) past experience in public and alumni relations; and 3) the capacity to balance professionalism and sociability in developing contacts. As first-year class co-president this year, I have worked diligently alongside Catherine Lambert to represent our classmates' interests through the LSA Council. I have also taken part in different student activities and faculty initiatives. I am eager to apply different insights on the requirements of effective student government and the particular needs of student groups. En tant que VP des relations publiques, je veux forger des liens avec un plus grand nombre d'organismes et de commanditaires afin d'exposer nos talents à plus d'employeurs. Je souhaite aussi établir des relations plus étroites avec les groupes étudiants (par le biais du VP Club et Services,) afin

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Lani Rabinovitch



Why Lani?

I am an outgoing person, very colorful and energetic too. I am choosing the PR position because I believe that the qualities necessary to effectively carry out the duties for this position are qualities that I possess. I am good at establishing a rapport with people, I am dynamic and have a lot of charisma. I am also reliable person.

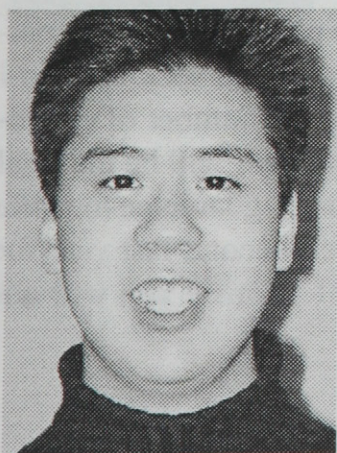
My goals are to maintain and to try to increase sponsorship from law firms to enable clubs and associations to carry out activities, to maintain good relationships with law firms and where possible, to create a rapport with other law firms where currently there is none.

I am not going to tell you that I can bring about a revolution in the Public Relations domain, but I will tell you that I will represent McGill Law to the public in a way that we can all be proud

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Acclaimed Law II President

Jay Choi



Class mediator, not class president

Nos étudiants sont brillants, distingués et raffinés : on ne manque pas de cerveau ici, mais plutôt d'une voix qui reflète l'ensemble du corps étudiant. As representative of second-year students, I will strive toward a simple yet efficient mandate focused on better communication between students and the rest of our Faculty:

- Disponibilité : la communication, elle commence par une simple discussion ou un courriel. Je serai tout ouï à vos suggestions.

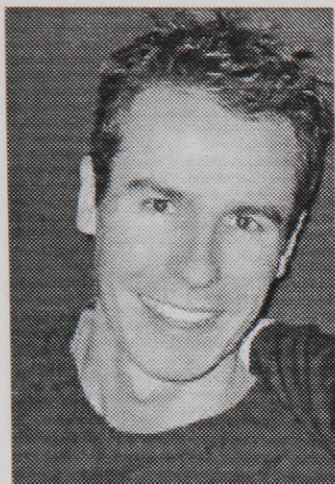
- Monthly opinion survey on issues such as: lockers, library hours, funding, examination policy, language policy or exchange program. I will make it my responsibility to communicate the results and ensure that our opinion is taken seriously.

- Création et maintien d'un site Web avec forum de discussion où vous trouverez toute information disponible : ce que je sais, vous le saurez aussi.

Sur ce, je vous dis : tous aux urnes !

Candidates for Law III President

Paul Hesse



Salut! Hello!

I would like to thank our fearless leaders for their hard work, organization and humour this past year. Thank you Robert and Stephen!

I am running for 3rd year president in order to better serve your needs. I will strive to keep you informed, to organize fun events and to give you a year to remember. This year's ski trip to Mt. Tremblant will become an annual event. Movie nights at Cinéma Du Parc will be expanded. And a new tradition at Thompson House will be unveiled.

Comme président de la classe en 3ième année, je vais vous servir de façon bilingue. Je m'engage à travailler pour améliorer les communications en français. Je serais toujours ouvert à vos besoins et commentaires. J'aimerais aussi que vous vous impliquiez pour aider notre faculté à devenir plus ouvert aux francophones. You will receive regular emails on what is happening in the

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Saminda Pathmasiri

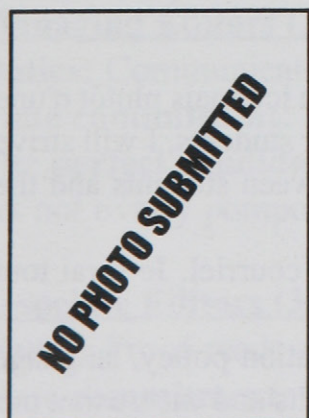


Mes chers amis and dear fellow students,

It has suddenly come to my attention that l'année prochaine, will be the last year during which all of us, who started this "law school adventure" en septembre 2002 va être ensemble. It has been such a great pleasure to have spent the last two years in your company that next year, I would like to get involved even more and become your class president.

Jusqu'à présent, nous avons eu d'excellents présidents de class et j'espère continuer dans la même lignée. As class president, I will be defending your interests in the faculty but also, I wish to make sure that law school is much more than classes, Nahum Gilberg and exams. Pour atteindre ce but, je planifie être à votre écoute, autant pour vos plaintes, vos suggestions que vos commentaires. Please don't hesitate to talk to me or write an e-mail (saminda13@yahoo.ca).

April Thomas



Hey there fellow second years! I'd just like to say that it has been an absolute pleasure to be a member of this class. The past two years have been exceptional, both academically and socially, and I feel that even more great experiences are just ahead for us all. Judging from the number of expensive suits that have been showing up in my classes lately, I get the impression that third year will be the final year in which many of you grace the halls of good ole McGill. As president of our class, I guarantee to make the last year the best year for those of you who will be leaving us behind, and the best second-last year for those who are sticking around of course! So, take a moment to vote this week and I promise you will not be disappointed.

Candidates for Law III Valedictorian

Elizabeth Hunter



"What were you thinking?" These were my immediate thoughts after telling Julia that I'd be flattered if she nominated me for third-year valedictorian. Although I've been performing on and off stage since I can remember, I have an unquestionable fear of speaking in front of large gatherings of people. Upon further consideration, though, I realized that graduation provides the ideal forum for confronting this apprehension - in front of my peers, friends, family, professors, and... cameras! I also realized that Julia's confidence in me meant more than the potential for tripping over my words.

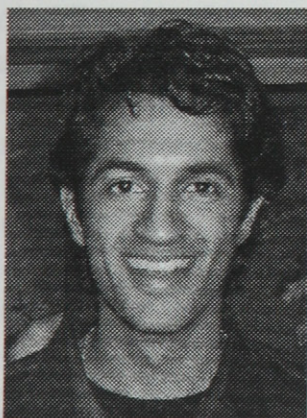
Voilà, donc, je pose ma candidature pour le poste de salutatrice. Même si, par hasard, je ne suis pas honorée de ce poste, j'aimerais vous dire ces mots dont un grand homme (mon cher papa) m'a dit le jour de mon départ de Windsor: "Aie du plaisir, mais soi, avant tout, gentille!"

Samantha Lamb



I'm Samantha Lamb and I want to be Year 3 Valedictorian. I have always wanted to be a valedictorian, and having the opportunity to find just the right words to express the significance of this transition from one phase of life to another. I believe that my different experiences with orientation, social events, and a variety of student clubs and committees have given me a strong perspective on the richness of our law experience. Je ferais un effort incroyable pour créer un discours qui captera tous les aspects de notre séjour à la faculté de droit de McGill, tels que les aspects académiques ainsi que les divers activités sociales qui contribuent tellement à nous fournir une expérience complète. I will write a speech that reflects everyone's law school experience. You'll laugh, you'll cry, or at the very least it won't be painful and you'll have made my dream come true.

Dinesh Melwani



I have loved my law school experience. The last three years have been exceptional. The students, and the surroundings, made school fun again - and I took full advantage. This is what happened:

Skit Nite Coordinator and Participant
Chico Resch Ice Hockey
V.P. Comm. MELSA
Dean's List
Willem Vis Moot Competition
Head & Hands Legal Clinic

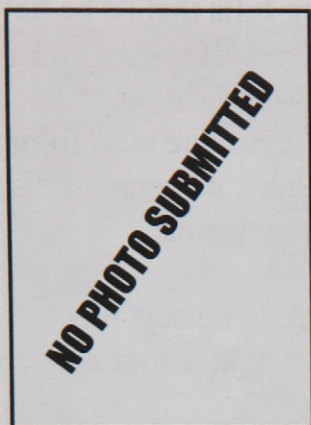
Talent for a Cause Coordinator
Law Games Moot Competition
Legal Advocacy Programme
Force Majeure Ball Hockey
Foundations Tutorial Leader

My classmates taught me that there is always space on the plate for more. For that lesson, thank you. Representing such a group as valedictorian would be an honour.

EXERCISE YOUR RIGHTS: VOTE!

Candidates for Law IV Valedictorian

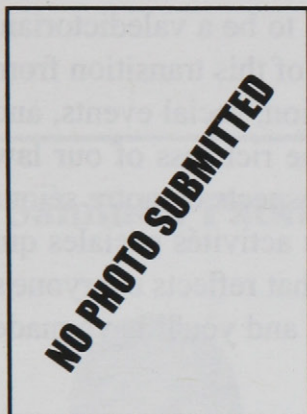
Jeff Feiner



No one in our year dedicated more time and effort to making our four years at McGill Law exceptional. Jeff excelled academically, represented our school in competitive moots, co-directed Skit Nite, and led the LSA as its president for a term. Jeff is also one of our best friends, leading the way to victory at Law Games, and to Coffeehouse on Thursday afternoons.

Join me in voting for him as our Law IV valedictorian.

Fred Fischer



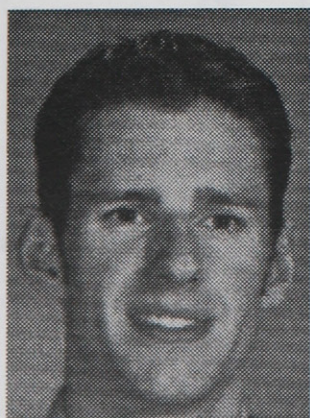
[No statement submitted]

Stephen Panunto



Over the past four years I have benefited greatly from being exposed to you, my classmates, with your diverse knowledge, experience and talent. That is the reason I tried to be as involved as possible in different activities, so as to interact with as many of you as possible. As we approach the end of the road, this is the reason that it would be a great honour to be chosen to represent our class as Valedictorian.

Peter Wright



In my mind, the ideal candidate for this honour is someone who made the most of community life at McGill, both in gaining from it, and in giving back to it.

I considered printing out a detailed C.V. of what I have done over the years but decided against it. This is an honour, not an office, and if you would like to know more about my membership/captaincy of faculty sports teams, academic success and honours, LSA/committee/Quid positions, representations of the faculty at Vienna and The Hague or other contributions to faculty life, just ask around or email me at peter.wright@mail.mcgill.ca.

I won't be back to the faculty for another two weeks. But I do hope that some of you might consider me as someone who made the most of his four years at McGill through friendships, opportunities, and contributions to all aspects of faculty life.

Educational Equity: Re-examining the “Mentor Program”

by Weiguo He (Law I)

Perhaps even Charlie himself had not realized how much percussion his articles in Quid would make on McGill Law community in general, and on the under-represented students in particular. Like him, as a member of a visible minority group, I am proud of our faculty for its open-mindedness toward educational equity. The “mentor program” as was proposed by Charlie will undoubtedly help, but I would like to make some suggestions aiming at making the program even more effective.

“Mentor Program”—or Perhaps Another Name?

I am not sure whether the “Mentor Program” is the most appropriate name given its mission. Maybe I am wrong, but at the sight of “mentor”, I intuitively think that the students who need a “mentor” are sort of inferior to the mentors, or at least something like the relationship between student and teacher. This picture might lead to the impression of inequality, the very thing that we are endeavouring to dispose of. If we really admit that minority students “have integrity” (as we do now), and if we want to respect their equality, we might need to rename the program, taking into consideration at least the psychological impact this word might have on the minority students.

Besides, the term “Mentor Program” has already been adopted by the CPO. Even just for the sake of avoiding confusion, maybe we should avoid using “Mentor Program” here. The CPO, in collaboration with CAPS and Alumni Services, has established a program that “...enables you to establish contacts with legal practitioners who are able to provide valuable advice and guidance regarding careers and share professional experiences.” (http://www.law.mcgill.ca/cpo/undergraduate_srv_mentor-en.htm) The mentors in their programs are experienced legal practitioners, and the use of the term “mentor” more appropriate.

Then what is my suggestion for an alternative? Well, I will try in the next paragraph, and I look forward to more creative and constructive suggestions.

The Role of the Program?

The name of the program is closely related to the role it plays or should play. Now that we already have several successful programs such as the Law Partner Program and the Ambassador program, we might need to find the core content that distinguishes the Educational Equity Program from other programs. Charlie admitted that “it is not aimed to ‘streamline’ the existing mentor programs, but simply to reinforce them”, and the main measure for this program is the building of a database of “mentors”. So basically the proposed “Mentor Program” will only be a supporting branch of the existing programs (this understanding is confirmed by the information in the Sign-up sheet calling for mentors, which asks “mentors” to choose from the three existing programs). If that is true, it might cast some doubts on the very necessity of making it a “program”—some periodical universal calls for volunteers would have been sufficient. Moreover, it does not give sufficient clues to the role “mentors” will play under the program.

The first and formal distinction is that this program is primarily aimed at minority students. Therefore, while non-minority students will play an essential role as the “mentors” (to borrow Charlie’s term temporarily), receivers of help will mainly come from the minority student population. In contrast, the Law Partner Program, the Law Ambassador Program and the (CPO’s) Mentor Program do not particularly aim at minority students, but to students at large.

Secondly, the role of “mentors” should be distinguished from the role as “law partners” or “law ambassadors”, since minority students already have access to the other programs as any other student. As far as I know,

the Law Partner Program is actually emphasized more on helping students with their studies, while the Law Ambassador Program attaches more significance to applicants *before* they enter into our faculty. Our program might need do more *after* they join our community. My personal experience tells me that the main barriers might not lie in studies (although I’d still like to thank those who have given me much help in my studies), but more often in cultural exchanges or community activities. Take myself, for example. Although I have been at McGill for almost three years, I still do not feel as much at ease in circumstances like Coffee House (which would be an extremely rare occurrence in the country I come from) as students who are born in Canada. I believe there are more minority students who have the same or even worse feelings. Studies generally have more objective criteria guiding minority students’ efforts, while the social aspect of law school might be where they are at a loss. I believe this is where the educational equity program can play a major role. I also hope the program would facilitate understanding and exchanges among students from different origins and cultures, be they black students, aboriginal students, Arabic students, or Asian students and so on. It should be *parallel* to the existing programs. It should be a bridge to connect all of us. Accordingly, I propose to rename the program as “Cultural Partner Program” (or “Bridge Program?”), and the helpers are “cultural partners” as opposed to the “law partners” who might focus more on issues related to studies.

We Need to do More

I completely agree with Charlie’s finding that it is the external factors in society (which often cause the low volume of entrance applications from members of minority groups) rather than the restrictions within our faculty that result in the under-representation of minority students. However, I found the solution he proposed, namely the “Mentor Program”, inadequately addresses the problem he identifies. This inadequacy might undermine to a large degree the goal of educational equity. Clearly, we need to do more. “Mentor Program” *per se*, however successful it maybe, should not and could not squeeze out other measures.

First, I think we should not subordinate the already successful out-reach programs to the “Cultural Partner Program”. Both are important and indispensable. Neither should be sacrificed or postponed. It might not be necessary to give *priority* to the “Cultural

Partner Program" (or "Bridge Program?") Anyway, both of them are cost-effective, so lack of resources should not be an impediment of parallel enforcements. Although the external social factors are often out of our control, we may still pick up those measures that are within our capabilities to reduce misconceptions among minority groups and therefore to attract more applicants. For example, we may target our efforts to the potential applicants whose misunderstanding is preventing them from applying to our faculty. There are two categories of misunderstanding: some of them might not consider to apply to *any* law school at all; others might be applying to law schools, but they will not choose to apply to McGill, or after they are admitted, they choose to attend other law schools.

In order to dispose of the misunderstandings held by such students, we might need to go outside of our school. Some suggestions by Naomi Kikoler (in last issue of Quid) are very feasible. These suggestions may attract more students who would otherwise not apply to any law school. At the same time, we may also try to do something to attract applicants to apply to McGill among other law schools. We can tell them of our special commitment to diversity and equity when they are doing "school-shopping" (so that minority students might know that at McGill they will feel at home); we may also help to eliminate misunderstandings about our trans-systemic pedagogy and our passive bilingualism. For maximal spread of our commitment to educational equity, we may try to persuade the Admissions Office to make a link on the website of "Admissions". This is very important because nowadays Internet has become virtu-

ally the first channel applicants may turn to for information. Also note that under current policy, information about the Law Partner Program is not given to students until an offer of acceptance is already made to them. Although this might attract more *admitted* students to our faculty, they do not attract more *applicants*. Therefore, the advancement of the mission statement makes much sense—they should be posted on "Admissions" homepage, and be included in the applications packages rather than the admissions packages.

Second, maybe affirmative action as a policy issue is not as negative as Charlie suggested. True, as individuals, people might feel insulted, offended, or frustrated when they find out that they are admitted because they are "on quota". However, in a broader social or faculty context, this might not undermine the justifications for affirmative action. (If we agree that many of the weaknesses of vulnerable groups result from social factors, maybe it is justified for the society to adopt some corrective measures such as the affirmative action, and the beneficiaries do not necessarily have to feel that their integrity is impaired). Here I would avoid more sociological discussions on this issue, but briefly mention two considerations. First, since "people from the vulnerable social groups are often represented by lawyers who can neither cater legal services to their special needs nor empathize with their specific problems", the minority students' understanding of their groups, a strong asset for them, might partly make up for their relative incompetence when they are serving these groups, and the final result might be better than an otherwise better lawyer but who does not understand or care about the specific

needs or problems of the groups. Second, although our faculty might adopt certain affirmative action in admissions procedures, these students are treated equally in their studies and evaluations *after* they are admitted. Besides, they will be treated equally before bar exams or articling. If they can survive law school, pass the bar exams, and get licences after successful articling, why not give them a chance to study law and to serve the vulnerable groups later? Individual considerations for integrity should be respected, but if I am the policy maker, I would not overlook the fact that the general welfare of the vulnerable groups and the society as a whole may be more likely to be promoted by qualified lawyers (although they were admitted because of affirmative action) than by the workers who are working on their grandmothers' chicken farms. Therefore I propose that affirmative action as a general policy should be recognized and adopted, but we may allow individual minority students to refuse to be considered under this policy. They may do so by simply clicking: "I decline to be considered under the affirmative action policy for admissions."

It is time to conclude this already lengthy article, but our endeavours toward true educational equity might be endless. I would take this opportunity to thank Charlie for raising such a profound issue and making considerable contributions at the Educational Equity Committee. I believe he, as anyone else, understands my discussions are purely aimed at promoting the goal of educational equity. My email address is Weiguo.he@mail.mcgill.ca. Your comments are welcome. ■

signing the petition.

This is where you come in. Over the next week, we need you to work with us in letting the upper-year students know about our plans to improve the educational experience at McGill Law and, in particular, about the existence of the petition.

Your charge, then, is twofold: bring our initiative to the attention of as many students as possible and then direct them to the petitions located at Pinos (at the counter and, aptly enough, opposite the wall of shame).

Time is of the essence. Exams and the end of the semester loom large. We need to wrap up the petition stage of this project as soon as possible. We are fully committed to seeing this initiative through all the way to its happy implementation, but to do so, we need your help to continue to get the word out. ■

Ratio Decidendi: *RE Students v. The Status Quo* (Part 4)

by John Haffner and Jason MacLean (Law I)

After only a few days of petitioning, support for a "Distinction-Pass-Fail" system is strong (we have over 200 signatures already). The question on everyone's lips now is "What's next?"

The next step is to sell this idea to the faculty. But we are not there yet. Before we set out to demonstrate the pedagogical and professional benefits "Distinction-Pass-Fail" will confer on the Faculty as a whole, we must marshal as much student support as possible.

The question at this stage of the game, then, is "How much do we want this?" That's right - it's gut-check time baby!

Now, as inexplicable (and just plain wrong) as it may seem, not everyone reads our column. As a result, there are still many students, particularly upper-year students, who do not yet know about this initiative. This simply won't do. The procedural goal at this point is to make it possible for every single student in the faculty to consider

Paper Chains

by Edmund Coates (Alumnus II)

One of the lasting questions from law school is how closely people's written words reflect what is really going on. In March of my first year, I published in the Quid some life details of James McGill's six slaves. To spiral back again, I give below the text of the contract by which McGill bought one of his slaves (unearthed in the Archives nationales du Québec, under greffe n° 99 of Notary John Gerbrand Beek).

Possibly, the notary who drew up the contract, and presided over its signing, held his nose. Possibly, he just felt that he was helping along a business deal: the normal of the day. Today's normal is different from 1788's, but where are the blindspots of our own legal practice?

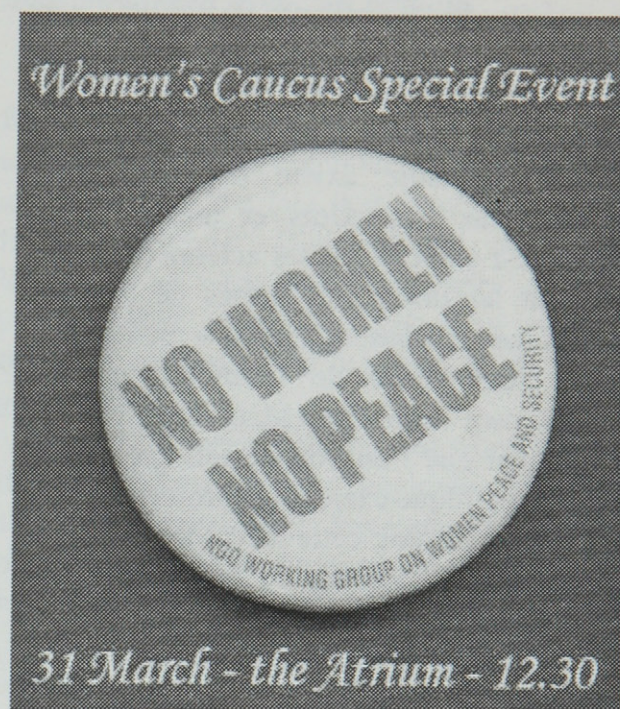
(James McGill & Jean-Louis Cavilhe)

Before the undersigned Notaries residing in the City of Montreal in the Province of

Quebec duly admitted and sworn Personally came and was present Jean-Louis Cavilhe of the Saint Lawrence Suburb Merchant who voluntarily declared That for and in Consideration of the Sum of Fifty six Pounds Lawful money of the Province aforesaid to him in hand paid by James McGill of the said Montreal Esquire at or before the Executing hereof the receipt whereof is hereby acknowledge (sic) to have bargained, Sold, released and confirmed and by these presents doth Bargain Sell Release and Confirm unto the said James McGill a Negro woman named Sarah about the age of Twenty five Years. To have and to hold the said Negro woman named Sarah unto the said James McGill his Executors administrators and assigns forever. And he the said Jean-Louis Cavilhe for himself and his Executors and Administrators the said Negro woman Sarah against his the said Jean-Louis Cavilhe his Executors administrators and assigns, and against all and every other person or persons whatsoever shall and will warrant and forever defend by these presents, of which Negro woman he the said Jean-Louis Cavilhe hath put the said James McGill in full possession of by delivering her up to him. This done and passed at Montreal aforesaid on the Twenty third day

of September in the Year of our Lord one thousand seven hundred and eighty and Signed by the said Jean-Louis Cavilhe after being duly explained unto him in French by one of the said notaries and by us notaries.

(signed) J. Cavilhe, J.G. Beek 1788 Not. Pub. ■



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Le SPQ Libre: Le dernier monstre syndical!

par Guillaume Lavoie (Law II)

Depuis des mois, nous avons été témoins d'une triste excoissance de la société québécoise actuelle. En effet, l'augmentation de l'influence syndicale a créé un monstre : le « monstre syndical ». Ces organisations, dont le but est de défendre les intérêts des travailleurs du Québec, sont devenues aujourd'hui un pôle de pouvoir extrêmement puissant. Or, cette influence est extrêmement néfaste et antidémocratique.

Le lobbyisme existe depuis presque toujours aux États-Unis et une influence énorme est exercée par les acteurs politiques que sont les différentes firmes de lobbying américaines. Là-bas, même les « petits vieux » ont leur firme de lobbying, qui est extrêmement influente. Mais ce n'est que depuis peu que l'on voit de tels groupes de pression politique exercer une influence réelle au Québec. En fait, cette méthode de faire de la politique a toujours eu une connotation négative, ici et en Europe.

Pourtant, le Protecteur du citoyen, lors de l'adoption de la Loi sur la transparence et l'éthique en matière de lobbyisme, soulignait que le lobbyisme est nécessaire à la

influencable par les médias.

Donc, malgré le fait que le gouvernement Charest ait été élu démocratiquement, avec un programme électoral clair (que tous n'avaient peut-être pas lu...mais, ça c'est leur problème) qui incluait des réformes précises, voilà que celui-ci se fait mettre constamment des bâtons dans les roues par ce nouveau gouvernement parallèle que sont les syndicats. En quoi cela est-il démocratique ? Ces organisations ont été créées afin de défendre les droits des travailleurs face à l'employeur. Elles n'ont pas été élus pour faire de la politique active. La FTQ a beau représenter 500 000 travailleurs, elle n'a obtenu aucun mandat de leur part d'intervenir directement en politique. Je suis personnellement un syndiqué de la CSN et personne ne m'a demandé mon avis pour savoir si j'étais d'accord pour que cette bande de révolutionnaires d'extrême gauche aillent manifester en mon nom. Ces organisations dépassent leur mandat. Elles prétendent vouloir défendre les droits des travailleurs, mais en fait, font de la politique partisane : elles veulent faire réélire le Parti Québécois

La FTQ a beau représenter 500 000 travailleurs, elle n'a obtenu aucun mandat de leur part d'intervenir directement en politique.

démocratie. Et bien, je ne suis pas d'accord avec ce dernier. Aux États-Unis, le système politique est très différent du modèle britannique, où le pouvoir est beaucoup plus centralisé. Aux États-Unis, comme on le sait, il n'y a pas de ligne de parti, et le pouvoir est davantage divisé. Le groupe de pression qui tente d'influencer la politique américaine peut donc parvenir à influencer un individu, mais cet individu, même si c'est George Bush, ne parviendra pas à imposer de manière unilatérale cette politique et inversement, si un parti politique souhaite passer une législation, ces groupes de pression ne parviendront pas à empêcher cette adoption ; ne serait-ce à cause du fait que ces groupes agissent derrière les rideaux politiques plutôt qu'à la une des médias. Ici, au contraire, le Premier Ministre possède beaucoup plus de pouvoir à l'interne et influencer celui-ci a un impact direct sur la gestion du gouvernement. Et parallèlement, celui-ci est, de par la structure politique, beaucoup plus

afin de ramener la politique québécoise à gauche.

Mais en plus de manifester contre l'adoption de projets de loi, en plus d'obliger le gouvernement Charest à instaurer des forums régionaux, voilà qu'elles créent une institution para parlementaire, le SPQ Libre (Syndicalistes Progressistes pour un Québec Libre), afin d'influencer le Parti Québécois pour que celui-ci devienne une créature « gauchiste ». Ils demandent à ce que le Parti Québécois offre une représentation proportionnelle de députés syndicalistes !

Bon sang ! Comme s'ils n'étaient pas assez puissants comme cela ! Ils sont parvenus à faire changer l'opinion publique en l'espace d'un mois. Maintenant, ils en veulent encore davantage. Pourquoi ne demandent-ils pas tout simplement une Chambre au parlement ? Ils pourraient remplacer le sénat qui a été aboli ! De cette manière, on deviendrait une vraie société syndicale !

Que l'on ne vienne pas me faire croire que c'est normal qu'une organisation de défense des droits des travailleurs ait le pouvoir de

faire écrouler un parti politique (l'ADQ) et de faire renverser complètement l'opinion publique en un mois ! Je n'ai jamais vu le Conseil du Patronat, les Chambres de Commerce, les autres types d'associations, la DPJ, la SPCA, monter au front comme le font les syndicats et parvenir à influencer le pouvoir de manière aussi efficace.

Je pense qu'au lieu d'exclure les syndicats de son application, la Loi sur la transparence et l'éthique en matière de lobbyisme devrait au contraire limiter l'exercice politique de ces créatures démocratiques qui ont muté en monstres à la marginalité et s'assurer que leur mandat sera restreint au piquetage, à la grève, aux négociations des conventions collectives et peut-être à un exercice très restreint de lobbyisme. Il faudrait parallèlement exclure totalement toute participation active des organisations syndicales à la politique active sous la forme d'organisations telles que le SPQ Libre (il pourrait y avoir la même obligation de neutralité pour les syndicalistes qu'il y a pour la fonction publique). La population est, après tout, suffisamment intelligente pour pouvoir juger de par elle-même de la légitimité de ce que fait le gouvernement, en ayant l'opposition officielle pour lui souligner ce qui ne l'est pas.

Quant à la liberté d'expression, je crois qu'il y a une forme d'abus de droit lorsque l'on songe à faire une grève générale afin d'influencer les politiques du gouvernement au pouvoir plutôt que pour exercer un droit syndical et lorsque l'on séquestre des automobilistes ou des camionneurs dans la rue.

Bref, j'ai honte de voir la société dont je fais partie être soumise à l'influence si grande d'un monstre politique et antidémocratique qui n'a pas été élu par qui que ce soit et qui n'a aucun mandat pour faire de la politique. Le gouvernement élu est un gouvernement libéral et il a obtenu le mandat d'adopter les projets de lois qu'il a adopté en décembre. Même s'ils ne sont pas d'accord avec ceux-ci, que les gauchistes attendent leur tour et qu'ils continuent à voter pour l'UFP ou n'importe quelle autre parti tout aussi lunatique et farfelu, mais qu'ils cessent de se servir des syndicats pour empêcher Jean Charest de réaliser ce pourquoi il a été élu et pour tenter de pousser le Parti Québécois vers le communisme ! ■

Old-School Racism Still Lives in Montreal

(Or how it seems the only way to have an open mind is to live in the Metropole)

by Émélie-Anne Desjardins (Law III)

I read David Perri's article last week, and I was amazed at the contradiction within his argument. In case you didn't take a look at Mr Perri's latest piece of writing, let me give you a little summary (since that is the main thing we learn to do in this law school).

Mr Perri was basically surprised that two French-Canadian girls deserted his table at a Bar on Ste-Catherine when they learned he was an Anglophone. He further stated that according to a francophone friend of his, their "old-school" racism was certainly due to the fact that they were from "les regions" and not from Montreal, a thesis that was proven, in his opinion, when he saw both girls dancing to a song from "Les Cowboys Fringants" called "En berne". He concluded by saying that those girls' behaviour would have been acceptable if indeed they were from "les regions".

Being native from the Saguenay and having lived the largest part of my life there, I have to admit that I found his comments as discriminatory as the behaviour he was denouncing. That is why I will respond to the parts of his article that I found disturbing.

1) But for two human beings to suddenly end a conversation and retreat the opposite part of the premises just because my mother tongue is English was a bit disturbing.

I totally agree with you there, Mr Perri. For people to refuse to have, or to sever any contact they might have with someone just because their first language is not the same is disturbing. It is discrimination after all, and discrimination, on whatever grounds you can think of, is not only disturbing - it is often revolting and always unacceptable.

I can't express just how wrong I think their attitude was. What can push someone to behave in such a way? Did they have bad experiences with Anglophones in the past? Were they raised in households where English-speaking people were despised? Either way, their reaction is based on a bad opinion of the English-speaking community, which is certainly a generalization of some impressions they might have gotten in certain circumstances. Needless to say, it is inexcusable.

2) One of my francophone friends who was

with me during the situation dismissed it. He claimed that their small-minded attitude must have been from "les regions".

Mr Perri, I wonder how your francophone friend can reach such a conclusion. I am aware that you were not in fact saying that you are sure about the fact that these girls were from "les regions". However, and correct me if I am wrong, what those lines imply is that a small-minded attitude is typical of people from les regions when it comes to the language issue.

Well I am sorry to shatter that wonderfully drawn divisions between Anglophone-loving and Anglophone-hating francophone populations, but it couldn't be more wrong, or more insulting for that matter.

Isn't your statement a nice little generalization in itself? Isn't your statement an example of the exact behaviour you claim is wrong? To me, it sounds like a clear discriminatory statement against people from the regions to say that they are all small-minded when it comes to the language issue.

And I repeat, it is insulting. From my experience, which is constituted of 18 sound years of living in Chicoutimi, not all people from "les regions" are small-minded when it comes to language. Some of them are, however, and I suppose they could potentially act like those girls did. But in fact, there is a big difference between being proud of speaking French and rejecting English, the latter being an attitude that is far less common than you seem to think. Sadly, the two ideas are often merged, and it results in a big misconception.

There surely are some people from the regions who do not like Anglophones. That doesn't mean that everyone who happens to live outside of the metropole is Anglophobic or small-minded. And there certainly are a fair number of Montreal francophones who do not like Anglophones.

This is why, Mr Perri, I see your statement as being insulting on top of being discriminatory. Open-minded people are everywhere, including the regions. And small-minded people are everywhere, even in Montreal, it seems. ■

Borden Ladner Gervais Announces New Research Fellowships

by the Quid

BLG announced at the end of February the establishment of a \$1 million national research fellowship program to support legal research in Canada over the next five years.

A total of twenty grants worth \$10,000 each year will be awarded to law students entering second year in fourteen law schools around Canada, including McGill and Université de Montréal.

Dean Patrick J. Monahan, from York University's Osgoode Hall Law School in Toronto, described the fellowships as "one of the largest gifts that have been made to Canadian legal education by any Canadian law firm." Our own Dean Nicholas Kasirer noted "BLG's initiative will bear the finest kind of returns. In addition to advancing legal research, it will stimulate student involvement in the intellectual dimension of the advancement of law."

In an official press release, Norm Letalik, Managing Director of Professional Excellence at BLG indicated the firm's belief that "legal research in Canada is under-funded" and affirmed its commitment to supporting law students. ■

The Mysterious Karen Ryan

by Michael Rowland (Law III)

No, this is not another feisty opinion piece – just a recent news item that I think you all should know about. Last month, 40 local television news stations in the United States aired a report on Bush's new medicare plan. The report openly praised the plan and presented images of Bush signing the medicare bill in front of a cheering crowd. Other highlights included an interview with a pharmacist and a customer, who enthusiastically talk about what a good decision the president had made. The reporter who supposedly produced the piece signed off by saying "In Washington, I'm Karen Ryan

reporting."

The problem is that Karen Ryan doesn't exist. The entire piece was in fact produced by the Bush administration and actors were hired to pose as reporters. It was then distributed to local news stations as a press release and even included suggestions on the type of language anchors should use to introduce it. The most disturbing detail of this story is that there was nothing in the report that would indicate that it was produced by the government. Viewers were led to believe it was the work of independent journalists. In other words, the Bush administration

produced campaign propaganda and aired it in the middle of the evening news (a la Pravda). Now, I realise this isn't exactly the Reichstag fire, but it still conjures up some pretty creepy Orwellian images. Moreover, it raises some important questions about the state of democracy in the United States.

On that note, in lieu of my opinion, I will leave you with the three questions that kept me awake last night:

1. What does this episode say about the American president?
2. What does it say about the American news media?
3. What does it say about American democracy that Bush thought he would get away with it?

The third one bothered me the most. ■

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